

Missouri Special Education Advisory Panel

Annual Report

Michael Hanrahan, Chair
Fiscal Year 2002-2003



MISSOURI SPECIAL EDUCATION ADVISORY PANEL

Advising the Missouri Department of Elementary and Secondary Education on Implementation of the Individuals with Disabilities Education Act

Chair

Michael Hanrahan

Vice Chair

Kent Kolaga

Secretary

Joan Zavitsky

To Whom It May Concern:

This annual report of Missouri's Special Education Advisory Panel (SEAP) is hereby offered for public review. The panel undertook a variety of challenging tasks during the fiscal year that were treated in a professional and thoughtful manner. It is with a sense of accomplishment and pride that we present this document.

The advisory panel is composed of individuals representing a wide spectrum of stakeholders and stakeholder groups. The role of the advisory panel is to review programs and activities of Missouri's Department of Elementary and Secondary Education (DESE) relevant to special education. The advisory panel will make requests for additional information and make recommendations where appropriate in a collaborative effort with DESE. The ultimate goal is to assist in providing Missouri's students in special education with programs and assistance enabling them to be successful in their academic careers and adult life.

The advisory panel wishes to recognize the support and assistance of DESE staff, including Deborah Parsons, Coordinator of Special Education Services, and Lina Browner, Executive Assistant for the Division of Special Education. The Panel thanks other DESE staff for their assistance through a variety of presentations, informational support and periodic attendance at panel meetings.

Meetings of the advisory panel are open to the public, and we welcome guests who wish to either observe panel meetings and/or make comments relevant to our duties.

If you have needs as addressed by the Americans with Disabilities Act and need this publication in an alternative format, call (573) 751-5739. Efforts will be made to accommodate your needs.

Sincerely,



Mike Hanrahan
Chair

Missouri Special Education Advisory Panel Annual Report

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Introduction

This annual report of the Missouri Special Education Advisory Panel (SEAP) is respectfully submitted to the Commissioner of the Department of Elementary and Secondary Education (DESE) for the State of Missouri. The reporting period is July 1, 2002, through June 30, 2003.

The annual report is a summary of panel activities and recommendations during the reporting period. The panel operates in a collaborative spirit with DESE's Division of Special Education in identifying and addressing areas of concern. The panel convenes on a regular basis to review issues relevant to special education in Missouri.

Additional information about the panel can be found at: dese.mo.gov/divspeced/Administration/AdvisoryPanel/94142mainpage.html. Comments or questions concerning this report may be submitted by mail to the Special Education Advisory Panel Chairperson, Division of Special Education, P.O. Box 480, Jefferson City, MO 65102.

The panel wishes to acknowledge the contributions of Melodie Friedebach, Debby Parsons and Lina Browner, along with other DESE staff, for their assistance in providing essential information through a variety of reports and presentations.

Missouri's Vision for Special Education Services

We, the people of Missouri, believe that diversity enhances our culture; therefore, we commit our resources and efforts to accept, educate and support all children and youth. All children and youth, being of diverse backgrounds and abilities, will have access to all learning activities with accommodations and supports to enable them to succeed. All children and youth are actively engaged in creating their own futures; are prepared for life as independent, informed and empowered citizens; and are embraced as vital, valued and contributing members of their communities.

Therefore, we need inclusive communities and schools that:

- recognize that all children and youth can learn;

- commit to providing equitable opportunities for all children and youth;
- build on the individual strengths and abilities of each child and youth;
- collaborate for the benefit of all children and youth; and
- recognize and involve families as full partners.

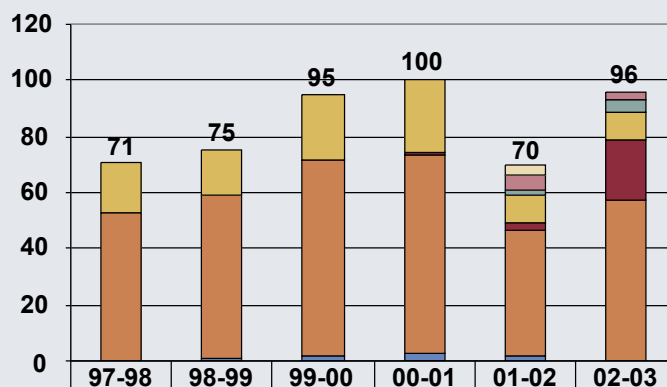
The Special Education Advisory Panel is committed to this vision. We believe that all children, including those in special education, are entitled to and deserving of fair and equitable treatment by the educational system. We believe that all local school systems and all students should be held to the highest standards and that all students should receive an appropriate and quality education to prepare them for life beyond the school years.

The panel recognizes that there have always been and will continue to be challenges in providing an appropriate education for each individual student. It is the firm belief and commitment of this panel that the needs of the individual student should be the prime concern of those involved in creating an individualized program. The panel feels a strong responsibility to represent the interests of all students in special education in achieving the best possible outcomes for them in the educational process. The best outcomes can be achieved when all stakeholders work together in a collaborative manner for the best interests of the individual student.

Data Reviews

The advisory panel reviews a number of special education issues and Division initiatives during the fiscal year. The panel can best represent students in special education by being well-informed on a variety of issues. An important part of this process is reviewing a variety of DESE data as we monitor the status of Missouri's special education. This annual report lists the goals and objectives reviewed by the panel. The following section includes the special education and performance goal data reviewed by the panel.

Due Process Hearing Requests by Fiscal Year



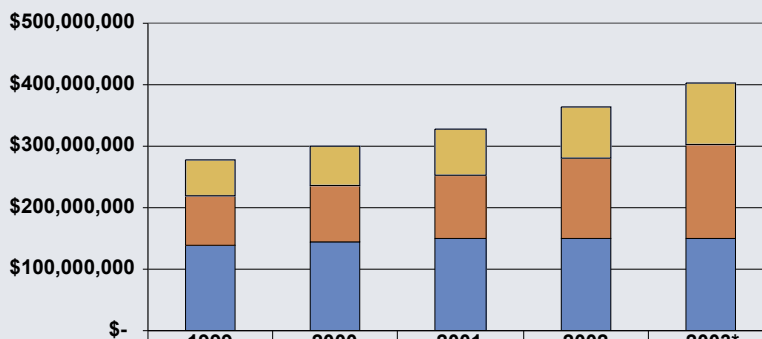
Parties Settled: settlement order*					4	0
Mediation Successful-Withdrawn*					5	3
Dismissal*					2	4
Hearing Decision	18	16	23	26	10	10
Pending	0	0	0	1	2	22
Withdrawn	53	58	70	70	45	57
Consolidated	0	1	2	3	2	0

Data as of 9/5/2003

*New reporting categories as of FY 01-02

Due process findings and decisions are shared with the advisory panel on an annual basis. Decisions can be found on the Division of Special Education Web site.

Special Education Funding by Year

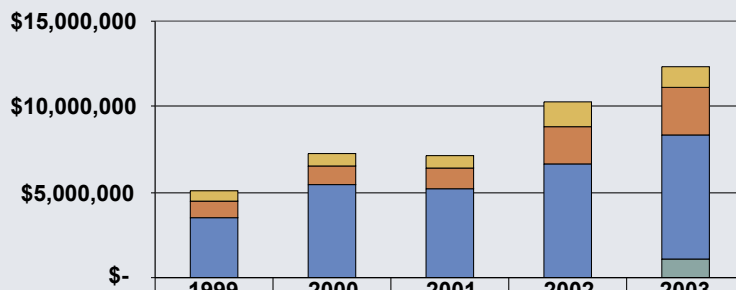


ECSE (State & Federal)	\$56,074,632	\$63,825,636	\$73,618,944	\$84,380,966	\$98,632,664
Federal Part B Grant Award	\$80,825,982	\$90,973,549	\$103,938,330	\$130,959,742	\$153,553,541
Exceptional Pupil Aid (State)	\$139,617,982	\$144,617,982	\$149,617,982	\$149,617,982	\$149,617,982

* Estimate

Missouri serves 144,179 students with disabilities ages 3 through 22 in 524 public school districts, State Schools for Severely Handicapped (SSSH), Missouri School for the Blind (MSB), Missouri School for the Deaf (MSD), Department of Corrections (DOC), and Division of Youth Services (DYS). The major funding sources and amounts for special education are shown.

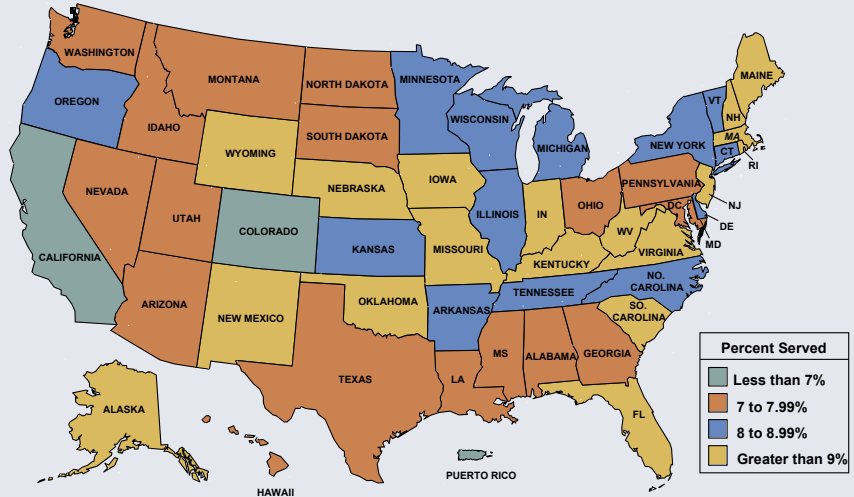
Special Purpose Funds Distributions



Extraordinary Cost Fund (State & Federal)	\$658,006	\$685,253	\$709,225	\$1,400,768	\$1,155,190
Severe Disabilities Services Fund (State & Federal)	\$872,183	\$1,145,748	\$1,211,911	\$2,244,905	\$2,738,515
Public Placement Fund (State)	\$3,556,090	\$5,397,188	\$5,259,105	\$6,643,160	\$7,293,638
Sensory Impaired Fund (Federal)					\$1,109,942

The Extraordinary Cost Fund allows local districts with the greatest need to have first access to the fund to meet extraordinary costs. The Sensory Impaired Fund was new in the 2003 fiscal year.

Percentage (Based on 2000 Census Population) of Children Ages 3 Through 21 Served Under IDEA, Part B, in 2001

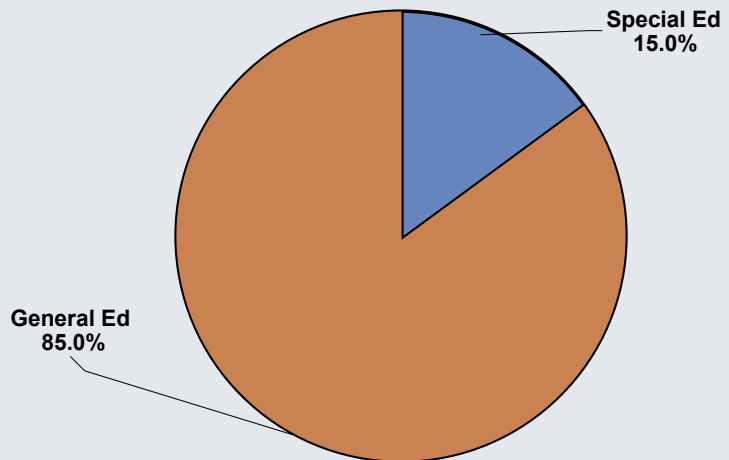


Note: Data as of August 30, 2002.

Source: U.S. Department of Education, Office of Special Education Programs, Data Analysis System (DANS).

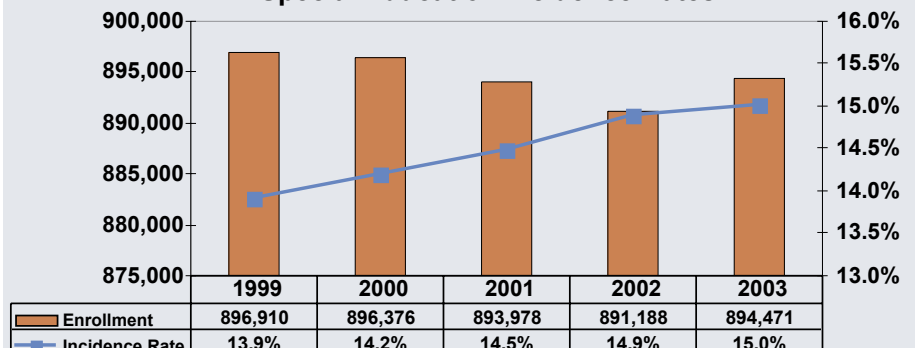
The incidence rate of students ages 3 through 21 with disabilities was compared for all 50 states. Missouri's incidence rate was greater than 9 percent with calculations based on population.

Missouri Special Education Percent of Public School Enrollment 2002-2003 School Year Ages 5K - 22



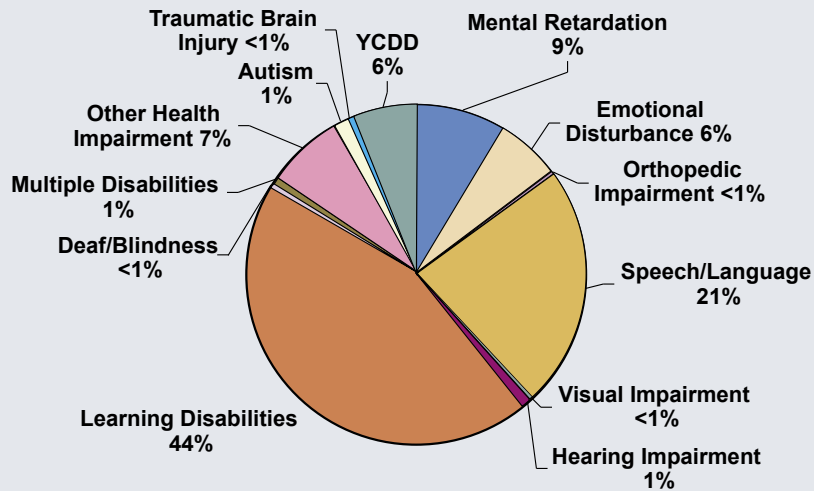
During the 2002-2003 school year, Missouri public schools served 134,121 students ages 5 through 22 with disabilities. This represents approximately 15.0 percent of the students enrolled in public schools.

Total Public School Enrollment and Special Education Incidence Rates



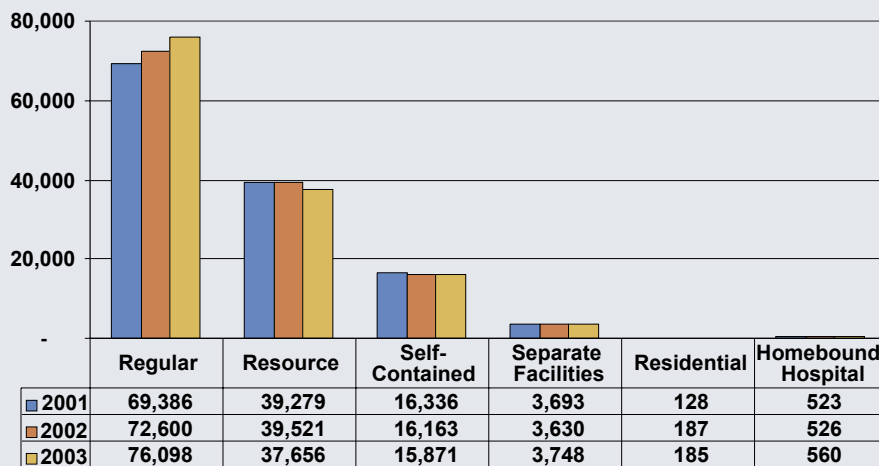
The incidence of students with disabilities is continuing to increase while the enrollment in Missouri public schools has increased for the first time in several years. Enrollment data for students in private and home schools is not included.

Disabilities Percent of Total (Ages 3-22) 2002-2003 School Year



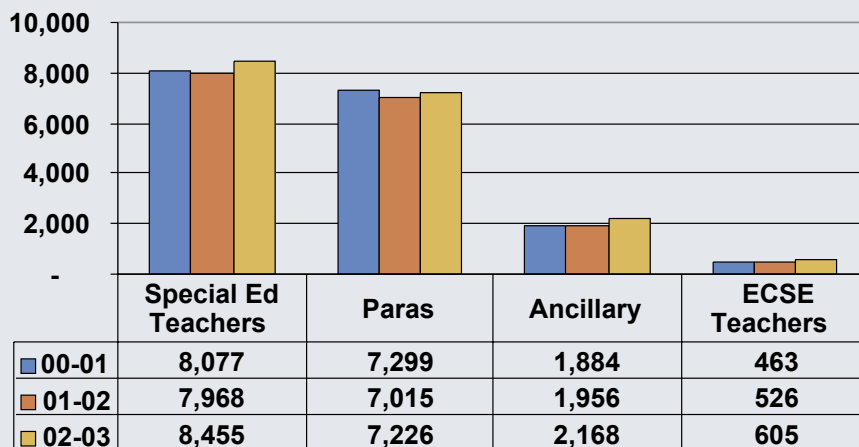
Students with disabilities are diagnosed by Missouri public schools based on the definitions and eligibility criteria included in the Missouri State Plan.

Placement Counts by Year



Missouri students with disabilities receive their special education services in a variety of settings within the public schools. The Division of Special Education collects and reports to the federal Office of Special Education Programs (OSEP) data on the amount of time students with disabilities are removed from the general education classroom. This data is summarized in six placement categories. Since the reauthorization of the Individuals with Disabilities Education Act (IDEA) in 1997, Missouri has seen a steady increase in the use of Regular Classroom. Students in this placement are removed less than 21 percent of the school day, or a little more than one hour per day, from their general education classrooms.

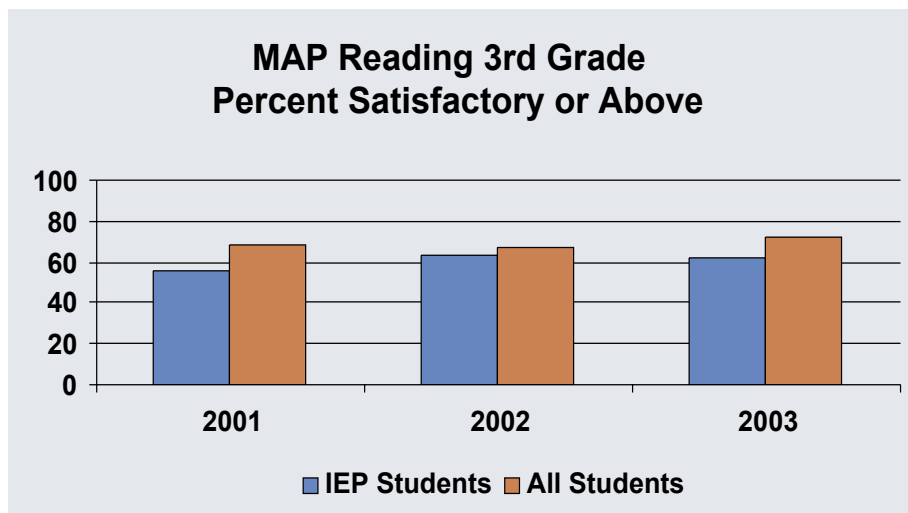
Fully Certified Special Education Personnel in Full-Time Employment



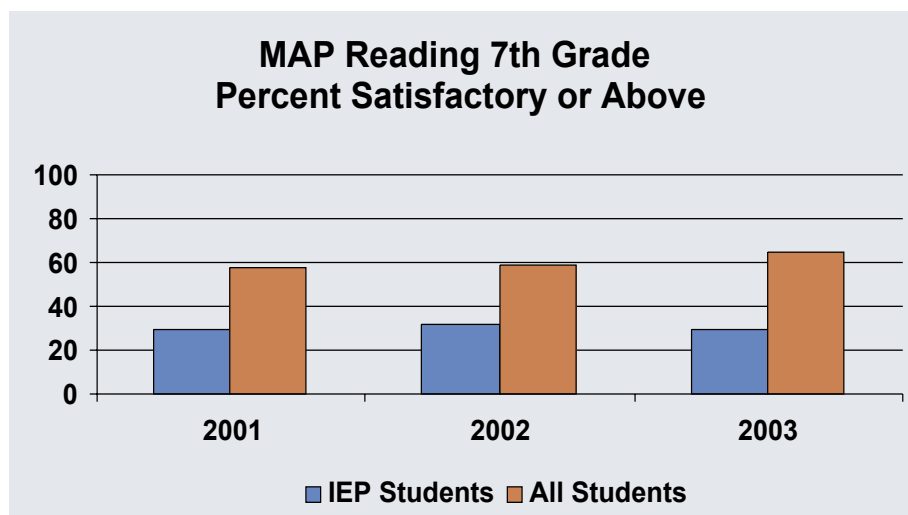
Special education personnel serving students with disabilities were presented in four broad categories: Special Education Teachers, which includes all categorical areas that serve school-age students from 5k through 22; Paraprofessionals serving students ages 3 through 22; Ancillary Personnel serving students ages 3 through 22; and Early Childhood Special Education Teachers serving ECSE students ages 3 through 6.

Goal: Increase the percentage of proficient readers in grades 3 and 7 and decrease the percentage having the Missouri Assessment Program – Communications Arts (MAP-CA) read to them

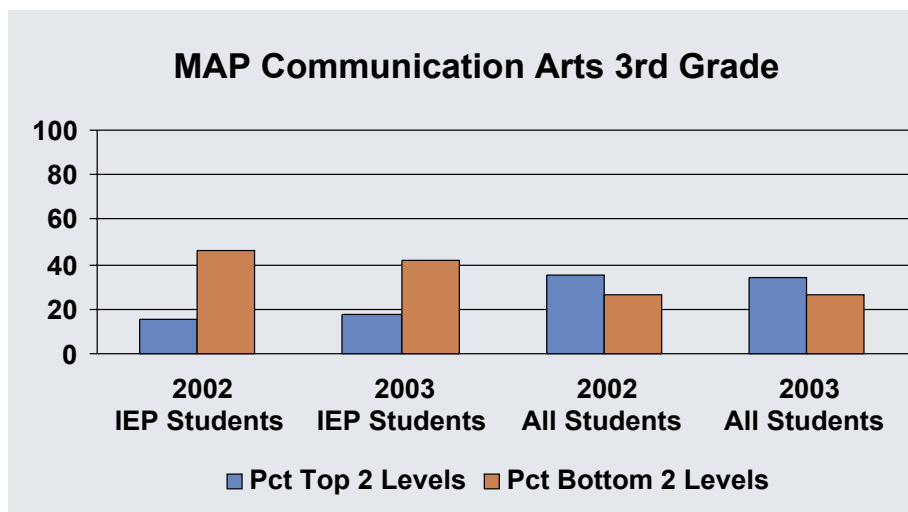
Reading proficiency at the elementary level has remained relatively steady at about 60 percent of students with disabilities.



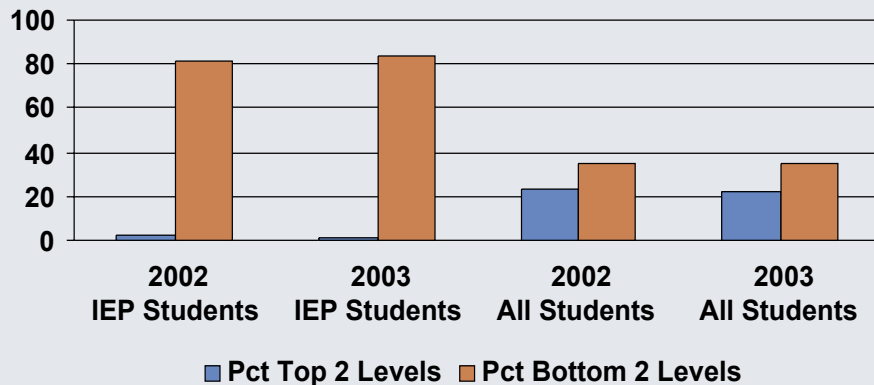
Reading proficiency for students with disabilities at the middle school level lags far behind proficiency rates for all students.



Goal: Increase the percentage scoring at Proficient and Advanced levels and decrease the percentage scoring at Step 1 and Progressing levels for each of the MAP subject-area assessments

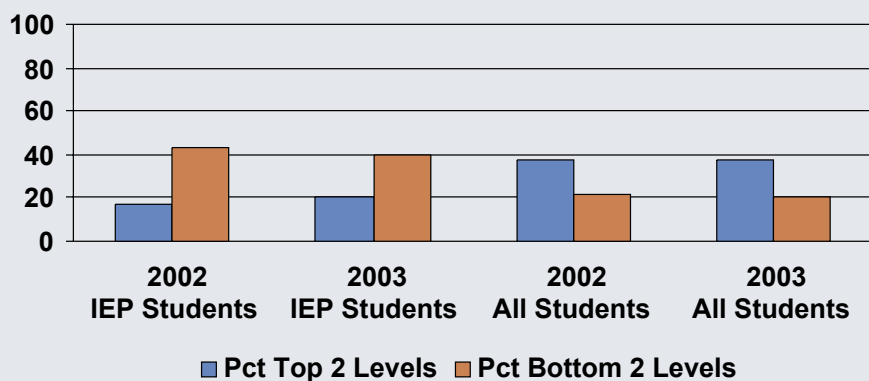


MAP Communication Arts 11th Grade



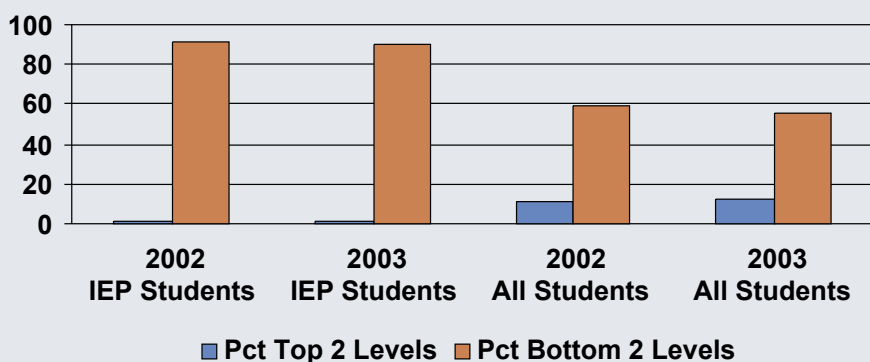
High school-level results show that most students with disabilities are scoring in the bottom two achievement levels on the MAP exams.

MAP Mathematics 4th Grade



Elementary-level mathematics results show increases in the top two levels and decreases in the bottom two levels for students with disabilities.

MAP Mathematics 10th Grade



Large gaps are seen between students with disabilities and all students.

Goal: Increase the percentage graduating with a regular diploma

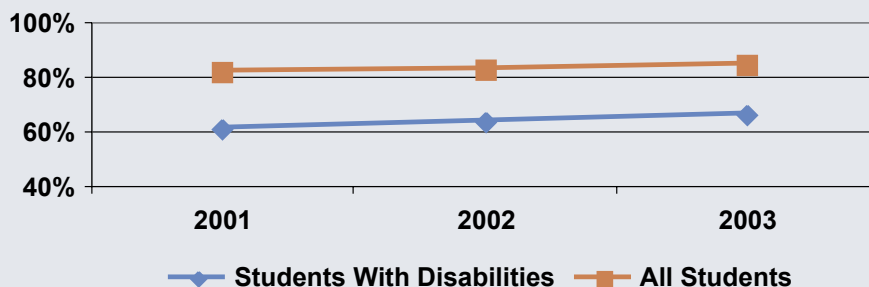
Graduation rates are calculated for all districts in Missouri for students in grades 9 through 12. The Division of Special Education uses a similar method based on the exiting information that is collected for students with disabilities ages 14 through 22. While there are slight differences in the manner that these calculations are made, the data show that graduation rates of students with disabilities are increasing.

Goal: Decrease the percentage that drop out of school

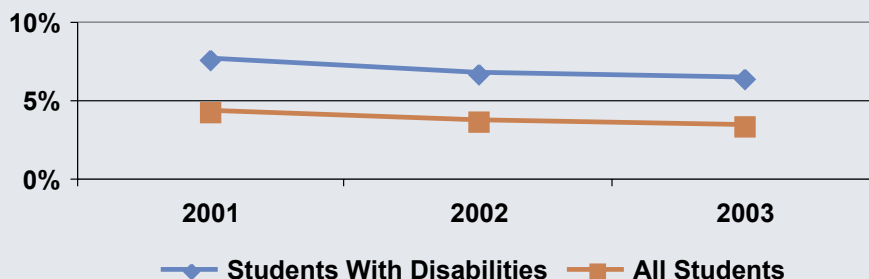
Dropout rates are calculated for all districts in Missouri for students in grades 9 through 12. The Division of Special Education uses a similar method based on the exiting information that is collected for students with disabilities ages 14 through 22. While there are slight differences in the way these calculations are made, the data show that dropout rates for students with disabilities are decreasing.

School districts conduct follow-up activities for all students six months post-graduation. Currently districts are reporting on approximately 85 percent of the students with disabilities who graduated.

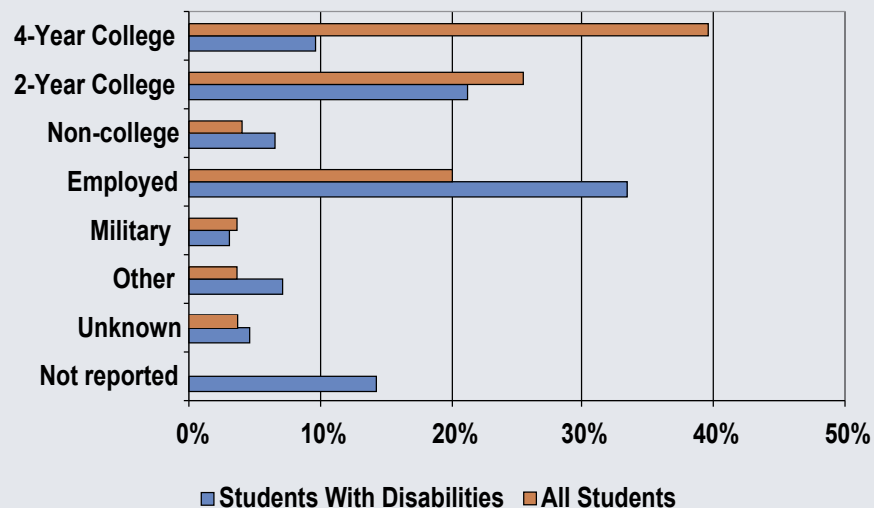
Graduation Rates for Students With Disabilities and All Students
(Excludes DOC, DYS and SOPs)



Dropout Rates for Students With Disabilities and All Students
(Excludes DOC, DYS and SOPs)



Post-Graduation Follow-up of 2002 Graduates



Panel Activities

The advisory panel engages in a number of activities to fulfill its role of advising the Division on special education issues. In addition to reviewing data, the panel schedules a number of presentations on special education topics.

Missouri CIMP Self-Assessment Process

A major project undertaken by the advisory panel is that of acting as the steering committee for the Continuous Improvement Monitoring Process (CIMP). This project has consumed much of the panel's time during the past two years. The CIMP is a mandate of the federal Office of Special Education Programs (OSEP). The purpose is to monitor and improve the compliance of all states with the Individuals with Disabilities Education Act (IDEA).

As previously reported, the CIMP process begins with self-assessment. Missouri was required to conduct extensive research to determine how well the state is meeting of the needs of children and youth in special education and the status of our compliance with IDEA.

OSEP identified a number of "cluster areas" as having the greatest potential for impacting the outcomes for infants, toddlers, children and youth with disabilities. The cluster areas identified for Part B of IDEA are: General Supervision, Free Appropriate Public Education in the Least Restrictive Environment, Parent Involvement, Secondary Transition and Transition from Part C to Part B. In addition, Missouri's Division of Special Education established an additional cluster area focused on special education services for preschool children.

The advisory panel worked with DESE in forming committees of stakeholders from across the state to meet and review the status of Missouri's special education in each of the identified cluster areas. We were assisted in this process by Carol Daniels and other representatives* of the Great Lakes Area Regional Resource Center (GLARRC).

*The panel acknowledges and thanks all of the people who generously donated their time to participate in this important process.

The outcome of the committee work provides us with a clear picture of where Missouri is at this time in providing education to students with disabilities. OSEP placed considerable emphasis on data. Missouri's data was reviewed intensely by the subcommittees in their process. GLARRC emphasized the importance of being completely honest in the assessment sent to OSEP — they indicated the assessment should note recognized data gaps in the report.

The October advisory panel meeting was devoted entirely to finalizing Missouri's self-assessment report. Once written, the report was submitted to OSEP for review and feedback.

At the panel's December meeting, we were updated on OSEP's initial response complimenting Missouri on the amount of data supplied and our current status of compliance with IDEA. While there were some concerns about Part C, OSEP advised Missouri to move forward with the improvement phase of the CIMP process.

Further conversations with OSEP indicated that any noncompliance issues must be addressed by DESE in the July report to OSEP.

CIMP Improvement Phase

As previously reported, the self-assessment step of the CIMP is followed by the actual improvement planning phase. Once again, the panel and DESE were assisted by Carol Daniels of GLARRC in understanding and beginning this process. It was determined that the first step would be identifying the priority areas and then forming subcommittees for each priority. The panel determined that focusing on two areas at a time for improvement would be a realistic undertaking.

The two priority areas identified are:

- **Transition:** increasing post-secondary outcomes of students with disabilities, and
- **Achievement:** increasing the achievement of students with disabilities in elementary grades.

Obviously, the panel decided that priority status should be accorded both to students nearing the end of their educational process and those at the beginning level.

Subcommittees were selected to begin work on the two priority areas. Members of the subcommittees included a variety of stakeholders representing various geographical areas of the state. In addition, whenever possible efforts were made to include people with a degree of expertise in the respective areas. The Chair appointed one panel member to be involved with each of the respective subcommittees and to serve as a liaison to the panel.

With assistance from GLARRC, the subcommittees met and completed their respective assignments. Following is a brief recap of the subcommittee reports:

Achievement

Special emphasis was placed on teacher certification issues for both special and regular education teachers. The group reviewed instruction time, data-based decision making, making training more accessible (including online instruction), training in differentiated instruction, teacher preparation programs, parent participation, and public awareness programs. The yearly progress piece will be tied to No Child Left Behind (NCLB) and will set benchmarks for 2005 and 2008 instead of yearly.

Transition

This group discussed the strong need for administrative support, differences between the two urban areas, the need to work with independent living centers, dissemination of information, work with higher education in developing methods of embedding information into course work, follow-up reports on drop-outs, collaboration with MSIP, student-directed IEPs, and providing professional development in alternate forms.

Because the CIMP is a continuous work, the panel expects further involvement in both monitoring implementation of improvement plans and identifying additional priority areas for action.

Maximization of Services

As a result of *Lagares v. Camdenton School District*, legislation was enacted removing “maximization

of services” language from Missouri’s Special Education law. A motion was presented requesting that DESE make overtures to the legislature to restore this language. The motion resulted in considerable discussion on this subject, both pro and con, prior to making a decision. The motion passed by a narrow one-vote margin, and a Formal Recommendation was presented to DESE for consideration. Reaction to the recommendation from DESE did not occur during the fiscal year.

Special Presentations to the Panel

Although the panel spent considerable time on the issues described above, a number of other topics were discussed during the fiscal year. These topics were brought forward either from DESE in presentations to the panel or from member/public comment items. Following is a brief recap of these issues:

OSEP Conference:

In July 2002, the panel Chair was invited to attend an OSEP conference in Washington, D.C. The conference focused on No Child Left Behind and how it will align with IDEA. A full report was given to the entire panel.

Monitoring Process:

Pam Williams, Director of the Division’s Compliance Section, addressed the panel regarding the new special education monitoring process.

Community Health Center:

Panel member Barbara Scheidegger advised the panel of a program in St. Charles County involving agencies, churches and businesses that work with children on a one-to-one basis. It is a program that might be replicated in other areas.

Due Process Update:

The panel reviewed a summary of due process statistics for the 2001-2002 school year. The panel requested additional information including the number of new hearing officers trained.

DESE Update/December:

The following items were brought to the panel's attention:

- **DESE** will be housing special education staff at each of the RPDCs, and one of their roles will be working with priority schools.
- **Data, Compliance and Effective Practices** staff has been reviewing the data on disproportional representation. Some districts will be contacted for clarification.
- **Local districts** have been mailed their district profiles.
- **The Division** has received the SIG supplemental for Positive Behavior Supports in the amount of \$500,000.
- **The annual Special Education Administrators Conference** was sponsored by MOCASE. There was an explanation of "skits" performed at the conference that some people felt were in poor taste and created some controversy. DESE had no participation in creating these skits.

DESE Update/February:

Following is a recap of the update from DESE at the February meeting:

- **Budget:** A handout outlined the 2004 budget request to the legislature. It was reported that state revenue continues to suffer. The Assistive Technology has been zeroed out of the budget. It is likely there will be a negative impact on staff.
- **State Plan:** Missouri's eligibility documents were sent to OSEP, and they replied during the summer (2002) with recommended changes needed for the State Plan. The panel requested an opportunity to provide advice and feedback on the State Plan.

DESE Update/April:

The following is a recap of DESE's report to the panel at the April meeting:

- **Budget:** DESE testified before the House on the 2004 budget. There is continued concern about maintenance of effort issues and the possible loss of federal funding.

- **State Plan:** DESE is still awaiting approval from OSEP on language changes in the plan. OSEP sent a letter to DESE to send to the state legislature indicating DESE's need to have those changes approved.
- **IDEA Reauthorization:** Melodie Friedebach discussed highlights of the proposed reauthorization. In addition, she commented on binding arbitration and the need to advise parents that the outcomes are final. The Show Me Standards has been changed to a checklist-type document that will result in paperwork reduction.

Public Comment:

A visitor from a rural area of the state offered comments regarding concerns she has encountered for services for students with disabilities. Some panel members expressed the opinion that there are wide variances in services available and provided in rural areas. It was concluded that the panel might want to investigate this situation during the upcoming fiscal year.

In addition to the items listed above, the panel was advised on a number of issues both from DESE and from individual panel members surrounding special education. Minutes from panel meetings are available on the DESE Web site. Visitors are welcome to comment at any of the panel meetings.

Standing Committee Restructuring

At the February meeting, there was discussion regarding the panel's responsibilities and how best to meet these responsibilities. It was determined that the panel's rules outline four broad areas that could be used as a guideline for forming permanent standing committees.

Following is a listing of the four new standing committees and a brief synopsis of their responsibilities:

Rules & Regulations:

- 1) review any rule changes in special education proposed by DESE;

- 2) review current rules and regulations and make appropriate recommendations for change; and
- 3) provide a forum for keeping panel members advised of proposed legislation relevant to special education.

Evaluation:

- 1) ensure that evaluations and data collection are appropriate and complete as directed by the panel and OSEP;
- 2) ensure that any decisions are supported by data;
- 3) track the improvement plan (CIMP); and
- 4) prepare the Annual Report of the advisory panel.

Monitoring:

- 1) review statewide monitoring data trends;
- 2) review corrective action plans (CAP) and improvement plans (IP) submitted to OSEP;
- 3) review MSIP cycle plans; and
- 4) review due process and child complaint results.

Programs:

- 1) provide panel input to the Effective Practices (EP) section of DESE/DSE; and
- 2) act as an advisory board in the development of initiatives prior to the finished product.

The panel decided that these four standing committees would drive much of the panel's meeting agendas in the future. The committees are expected to meet prior to and during the SEAP meetings and provide updates and make formal recommendations to the entire panel for consideration.

Future Focus

The 2004 fiscal year will be a busy one for the advisory panel. The panel will remain involved in the improvement phase of the CIMP by monitoring progress on proposed improvements as well as determining priorities for future improvements. In addition, the panel will continue to advise DESE on issues surrounding NCLB and the reauthorization to IDEA. The ongoing work of the new standing committees should result in a

number of formal recommendations to DESE in an effort to improve special education in Missouri.

Closing

The advisory panel knows that each year new children with disabilities will enter Missouri's educational system. They, and their families, will often find the process overwhelming. The children and their families will be struggling to understand and deal with the disability and its impact on their lives. They must deal with emotions ranging from bewilderment to anger and sometimes despair. They will often come to the school system not knowing what to expect but hoping that the school can assist them in understanding and dealing with their individual situation. Our schools must do whatever is possible to assist these families with educational programs. Most important, they must embrace these families with respect and understanding. They deserve our best efforts.

Advisory Panel Duties

The advisory panel is authorized under Public Law 94-142 (IDEA). The purpose of the panel is to provide policy guidance on special education and related services and to carry out those specific and general functions set forth in the above referenced statutes.

The panel shall:

- 1) advise the Department of Elementary and Secondary Education of unmet needs within the state in the education of children with disabilities;
- 2) comment publicly on any rules or regulations proposed by the state regarding the education of children with disabilities;
- 3) advise DESE in developing evaluations and reporting on data to the U.S. Office of Education under Section 618 of the Act;
- 4) advise DESE in developing corrective action plans to address findings identified in federal monitoring reports under Part B of the Act; and
- 5) advise DESE in developing and implementing policies relating to the coordination of services for children with disabilities.

Terms

AT — Assistive Technology
CIMP — Continuous Improvement Monitoring Process
DESE — Department of Elementary and Secondary Education
DOC — Department of Corrections
DFS — Division of Family Services
DYS — Division of Youth Services
ECSE — Early Childhood Special Education
EPA — Exceptional Pupil Aid
ESY — Extended School Year
FAPE — Free Appropriate Public Education
FERPA — Family Educational Rights and Privacy Act
IDEA — Individuals with Disabilities Education Act
IEP — Individualized Education Program
LIG — Local Improvement Grant
LRE — Least Restrictive Environment
MAP — Missouri Assessment Program
MSB — Missouri School for the Blind
MSD — Missouri School for the Deaf
OSEP — Office of Special Education Programs
Para — Paraprofessional
SIG — State Improvement Grant
SSSH — State Schools for Severely Handicapped

2002-2003 Membership Roster

Melodie Friedebach, Jefferson City
Dan Colgan, St. Joseph
Dennis Gragg, Jefferson City
Patricia Grassa, Springfield
Michael Hanrahan, Cameron
Eileen Huth, Ballwin
Patricia Jackson, Raytown
Kent Kolaga, Jefferson City
Sandra Levels, Jefferson City
Scott Mantooth, Jefferson City
Cathy Meyer, St. Louis
Deana O'Brien, California
Eric Remelius, Columbia
Lynda Roberts, Jefferson City
Joe Sartorius, St. Louis
Barbara Scheidegger, Jefferson City
Patti Simcosky, Independence
Richard Staley, Winfield
Stephen Viola, St. Louis
Dennis Von Allmen, West Plains
Pam Walls, Sedgewickville
Raymond Wicks, St. Louis
Joan Zavitsky, Eureka

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Missouri Department
of Elementary and Secondary Education